



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/364,967

07/31/1999

KEVIN J. KELLY

P-8035

1149

23322

7590

02/24/2005

IPLM GROUP, P.A.

POST OFFICE BOX 18455

MINNEAPOLIS, MN 55418

EXAMINER

TSAI, CAROL S W

ART UNIT

PAPER NUMBER

2857

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Paper No. 20050104

Applicant : Kelly et al.  
Application No.: 09/364,967  
Filed: July 31, 1999

**DECISION GRANTING  
PETITION UNDER  
37 CFR 1.59**

This decision is in response to the petition filed April 29, 2003 in the above-identified application. Petitioner requests that proprietary material be expunged, in accordance with 37 C.F.R. 1.59(b).

Petitioner requests that a document marked "PROPRIETARY MATERIAL NOT OPEN TO PUBLIC. TO BE OPENED ONLY BY EXAMINER OR OTHER AUTHORIZED U.S. PATENT AND TRADEMARK OFFICE EMPLOYEE" (the "Information"), filed June 28, 2004, be expunged from the record. Petitioner states that the information contains proprietary material which has not been made public. The petition fee set forth in 37 CFR 1.17(h) has been paid.

The information in question has been determined by the undersigned to not be material to the examination of the instant application.

Applicant is required to retain the expunged materials for the life of any patent which issues on the above-identified application.

The expunged material is returned herewith.

Howard Goldberg  
Director, Technology Center 2800

Enclosure: Thera software manual pages 4-6, 4-7, and 4-10; Meta DDDR Model 1254  
Physician's Manual; Medtronic, Inc. Itrel <sup>TM</sup> 3 Battery, product description; Medtronic, Inc.  
InSync III <sup>TM</sup> Battery, product description

IPLM GROUP, P.A.  
POST OFFICE BOX 18455  
MINNEAPOLIS, MN 55418